

Notice of Allowability

Application No.

10/625,039

Examiner

Joseph P. Martinez

Applicant(s)

TAKESHITA ET AL.

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 10-25.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/854,643.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

Claims 10-25 are allowed.

The following is an examiner's statement of reasons for allowance: the prior art taken alone or in combination fails to anticipate or fairly suggest the limitations of the claims, in such a manner that a rejection under 35 USC 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in independent claims 10, 19 and 25.

Specifically regarding claim 10, Nomura et al. (5765048) teaches the state of the art of an image sensing apparatus, including a first and second lens barrel, a driving unit and wherein the second barrel is shifted relative to the first barrel to move an optical unit.

But, Nomura et al. fails to explicitly teach a determining unit to determine whether or not the lens barrel is in a collapsed position, according to a power switch being turned on and first and second engaging portions can be engaged with each other when the second barrel is in a predetermined positional relationship with respect to the first barrel and which cannot be engaged with each other when the second barrel is not in the predetermined positional relationship with respect to the first barrel, the first and second engaging portions preventing the second barrel from being disengaged from the first barrel and displaced in a direction along an optical axis relative to the first barrel when the second barrel is in the predetermined positional relationship with respect to the first barrel, as claimed.

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Specifically regarding claim 19, Nomura et al. (5765048) teaches the state of the art of Nomura et al. (5765048) teaches the state of the art of an image sensing apparatus, including a first and second lens barrel, a driving unit and wherein the second barrel is shifted relative to the first barrel to move an optical unit.

But, Nomura et al. fails to explicitly teach a determining unit to determine whether or not the lens barrel is in a collapsed position, according to a power switch being turned on and third and fourth engaging portions can be engaged with each other so as to prevent the second barrel from being disengaged from the first barrel and displaced in a direction along an optical axis relative to the first barrel, the third and fourth engaging portions do not shift the second barrel relative to the first barrel, a range of parts of the third and fourth engaging portions which can be engaged with each other extends along a range of parts of the first and second engaging portions which can be engaged with each other, as claimed.

Specifically regarding claim 25, Nomura et al. (5765048) teaches the state of the art of Nomura et al. (5765048) teaches the state of the art of an image sensing apparatus, including a first and second lens barrel, a driving unit and wherein the second barrel is shifted relative to the first barrel to move an optical unit.

But, Nomura et al. fails to explicitly teach a determining unit to determine whether or not the lens barrel is in a collapsed position, according to a power switch being turned on and wherein a range of parts of the first and second engaging portions which can be engaged with each other comprises: a first engaging range in which the second barrel rotates in a direction orthogonal to an optical axis relative to the first barrel and shifts in a direction along the optical

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axis relative to the first barrel, when the first and second engaging portions are engaged with each other, and a second engaging range in which the second barrel rotates in a direction orthogonal to an optical axis relative to the first barrel while being prevented from shifting in a direction along the optical axis relative to the first barrel, when the first and second engaging portions are not engaged with each other, the third and fourth engaging portions are engaged with each other when the first and second engaging portions are engaged with each other in the second engaging range, as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph P. Martinez whose telephone number is 571-272-2335. The examiner can normally be reached on M-F 7:00 AM to 3:30 PM.

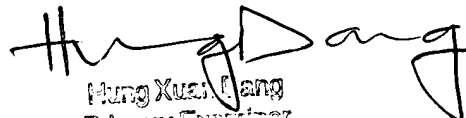
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM

11-14-04



Hung Xue Chang
Patent Examiner